## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

ADJUSTACAM LLC,	§ e
PLAINTIFF,	8 § &
V.	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
AMAZON.COM, INC.;	8 C.A. NO. 0.10-cv-00327-LED
AUDITEK CORPORATION;	8
BALTIC LATVIAN UNIVERSAL	8
ELECTRONICS, LLC D/B/A BLUE	8
MICROPHONES, LLC D/B/A BLUE	8
MICROPHONE;	8
BLUE MICROPHONES, LLC;	8
CDW CORPORATION F/K/A CDW	8
COMPUTER CENTERS, INC.;	§
CDW, INC.;	§
COBRA DIGITAL, LLC;	§
COMPUSA.COM, INC.;	§
CREATIVE TECHNOLOGY LTD.;	§
CREATIVE LABS, INC.;	§
DELL, INC.;	§
DIGITAL INNOVATIONS, LLC.;	§
EASTMAN KODAK COMPANY;	§
EZONICS CORPORATION D/B/A	§
EZONICS CORPORATION USA D/B/A	§
EZONICS;	§
FRY'S ELECTRONICS, INC.;	§
GEAR HEAD, LLC;	§
HEWLETT-PACKARD COMPANY;	§
INTCOMEX, INC.;	§
JASCO PRODUCTS COMPANY LLC	8
D/B/A JASCO PRODUCTS COMPANY	e
D/B/A JASCO;	8
JWIN ELECTRONICS CORPORATION; KLIP XTREME LLC;	8
KMART CORPORATION;	8 8
LIFEWORKS TECHNOLOGY GROUP,	8
LLC;	8 8
MACALLY PERIPHERALS, INC. D/B/A	8 8
MACALLY U.S.A.;	8
MACE GROUP, INC.;	8
MICRO ELECTRONICS, INC. D/B/A	\$ \$ \$ \$ \$ \$ \$
•	-

MICRO CENTER;	Ş	
NEW COMPUSA CORPORATION;	§	
NEWEGG, INC.;	§	
NEWEGG.COM, INC.;	§	
OFFICE DEPOT, INC.;	§	
OVERSTOCK.COM, INC.;	§	
PHOEBE MICRO INC.;	§	
PROLYNKZ, LLC;	§	
RADIOSHACK CORPORATION;	§	
ROSEWILL INC.;	§	
SEARS BRANDS, LLC;	§	
SEARS HOLDINGS CORPORATION	§	
D/B/A SEARS;		
SEARS, ROEBUCK AND COMPANY;	§	
SAKAR INTERNATIONAL, INC.;	§	
SAKAR, INC.;		
SDI TECHNOLOGIES, INC.;	§	
SOFTWARE BROKERS OF AMERICA	§	
INC. D/B/A INTCOMEX CORPORATION	§	
D/B/A INTCOMEX;	§	
SYSTEMAX, INC. D/B/A COMPUSA;	§	
TARGET CORP.;	§	
TIGERDIRECT, INC.;	§	
TRIPPE MANUFACTURING COMPANY	§	
D/B/A TRIPP LITE;	§	
WAL-MART STORES, INC.;	§	
BEST BUY CO., INC. D/B/A BEST BUY	§	
D/B/A ROCKETFISH;	§	
BEST BUY STORES, LP;	§	
BESTBUY.COM, LLC;	§	JURY TRIAL DEMANDED
CONN'S, INC. D/B/A CONN'S;	§	
J&R ELECTRONICS, INC. D/B/A J&R	§	
KOHL'S CORPORATION D/B/A KOHL'S;	§	
KOHL'S ILLINOIS, INC.;	§	
SOLID YEAR CO., LTD. AND	§	
WALGREEN CO. D/B/A WALGREENS,	§	
DEFENDANTS.	§	

## **NOTICE OF APPEARANCE**

Sears Brands, LLC; Sears, Roebuck and Company; Sears Holdings Corporation d/b/a Sears; and Kmart Corporation (collectively, "Defendants"), Defendants in the above-entitled and

numbered civil action, hereby notify the Court and all parties that the following person, in addition to those who previously gave notice, is appearing as counsel of record.

Christopher Schenck
Washington State Bar Number 37997
Bracewell & Giuliani LLP
701 Fifth Avenue, Suite 6200
Seattle, Washington 98104-7043
206-204-6210 (Telephone)
206-204-6262 (Facsimile)
chris.schenck@bgllp.com

Dated: January 6, 2011.

Respectfully submitted,

BRACEWELL & GIULIANI LLP

By: /s/ Christopher Schenck
Christopher Schenck
Washington State Bar Number 37997
Bracewell & Giuliani LLP
701 Fifth Avenue, Suite 6200
Seattle, Washington 98104-7043
206-204-6210 (Telephone)
206-204-6262 (Facsimile)

ATTORNEY FOR DEFENDANTS, SEARS BRANDS, LLC; SEARS, ROEBUCK AND COMPANY; SEARS HOLDINGS CORPORATION D/B/A SEARS; and KMART CORPORATION

## Of counsel:

John H. Barr, Jr. Attorney-in-Charge State Bar No. 00783605 Christopher A. Shield State Bar No. 24046833 John A. Yates State Bar No. 24056569 Bracewell & Giuliani LLP 711 Louisiana, Suite 2300 Houston, Texas 77002 (713) 223-2300 - Telephone (713) 221-1212 - Facsimile

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record pursuant to the Federal Rules of Civil Procedure on the  $6^{th}$  day of January, 2011.

John J. Edmonds	Andrew W. Changler
Michael J. Collins	Andrew W. Spangler
	Spangler Law P.C.
Henry M. Pogorzelski	208 N. Green Street, Suite 300
Erick Scott Robinson	Longview, Texas 75601
Collins, Edmonds & Pogorzelski, PLLC	spangler@spanglerlawpc.com
1616 S. Voss Road, Suite 125	(Attorney for Plaintiff, AdjustaCam, LLC)
Houston, Texas 77057	
jedmonds@cepiplaw.com	
mcollins@cepiplaw.com	
hpogorzeksli@cepiplaw.com	
erobison@cepiplaw.com	
(Attorneys for Plaintiff, Adjustacam, LLC)	
James E. Geringer	David W. Denenberg
Salumeh R. Loesch	Davidoff Malito & Hutcher LLP
Klarquist Sparkman LLP	200 Garden City Plaza, Suite 315
121 SW Salmon Street, Suite 1600	Garden City, New York 11530
Portland, Oregon 97204	dwd@dmlegal.com
James.Geringer@klarquist.com	(Attorney for Defendants, Compusa.com, Inc.,
Salumeh.loesch@klarquist.com	New Compusa Corporation, Systemax, Inc.
	d/b/a Compusa and Tigerdirect, Inc.)
Brian Craft	
Eric H. Findlay	
Findlay Craft LLP	
6760 Old Jacksonville Hwy, Suite 101	
Tyler, TX 75703	
bcraft@findlaycraft.com	
efindlay@findlaycraft.com	
(Attorney for Defendant, Amazon.com. Inc.)	
Anthony S. Gabrielson	Scott F. Partridge
Benjamin T. Horton	Roger J. Fulghum
Thomas L. Duston	Baker Botts L.L.P.
Marshall, Gerstein & Borun LLP	910 Louisiana
233 S. Wacker Dr.	Suite 3000 One Shell Plaza
6300 Willis Tower	Houston, Texas 77002
Chicago, Illinois 60606-6357	scott.partridge@bakerbotts.com
agabrielson@marshallip.com	roger.fulghum@bakerbotts.com
bhorton@marshallip.com	
tduston@marshallip.com	Paula Diane Heyman
	Baker Botts LLP
	Dana Dom DDI

Brian Craft
Eric H. Findlay
Findlay Craft LLP
6760 Old Jacksonville Hwy, Suite 101
Tyler, TX 75703
bcraft@findlaycraft.com
efindlay@findlaycraft.com

(Attorneys for Defendants, CDW Corporation f/k/a CDW Computer Centers, Inc., CDW, Inc. and CDW, LLC)

98 San Jacinto Blvd., Suite 1500 Austin, Texas 78701 paula.heyman@bakerbotts.com (Attorneys for Defendant, Dell, Inc.)

Ezra Sutton

Ezra Sutton, P.A. Plaza 9, 900 Route 9 Woodbridge, New Jersey 07095

esutton@ezrasutton.com

(Attorney for Defendants, Fry's Electronics, Inc., Sakar International, Inc., Kohl's Illinois, Inc. and Kohl's Corporation)

Steven R. Daniels
W. Bryan Farney (Lead)
Bryan D. Atkinson
Dechert LLP
300 West 6<sup>th</sup> Street, Suite 2010
Austin, Texas 78701
steven.daniels@dechert.com
bryan.farney@dechert.com
bryan.atkinson@dechert.com

(Attorney for Defendants, Fry's Electronics, Inc., Hewlett-Packard Company, Micro Electronics, Inc. d/b/a Micro Center and Office Depot, Inc.)

Michael C. Smith Siebman Burg Phillips & Smith, LLP 113 East Austin Street P.O. Box 1556 Marshall, Texas 75671-1556 michaelsmith@siebman.com

Peter I. Sanborn Holland & Knight LLP 10 St. James Avenue, 11<sup>th</sup> Floor Boston, Massachusetts 02116 peter.sanborn@hklaw.com

R David Donoghue
Holland & Knight LLP
131 S. Dearborn Street, 30<sup>th</sup> Floor
Chicago, Illinois 60603
david.donoghue@hklaw.com
(Attorneys for Defendants, Jasco Products
Company LLC d/b/a Jasco Products Company
d/b/a Jasco a/k/a Jasco Products Company,
Target Corporation and Radioshack

Debby E. Gunter
Trey Yarbrough
Yarbrough ◆ Wilcox, PLLC
100 E. Ferguson St., Suite 1015
Tyler, TX 75702
debby@yw-lawfirm.com
trey@yw-lawfirm.com
(Attorney for Defendants Newegg, Inc.,

(Attorney for Defendants Newegg, Inc., Newegg.com, Inc. and Rosewill Inc.)

Justin N. Stewart
John N. Zarian
Zarian Midgley & Johnson, PLLC
960 Broadway Ave., Suite 250
Boise, Idaho 83706
stewart@zarianmidgley.com
zarian@zarianmidgley.com
(Attorney for Defendant, Rosewill Inc.)

Corporation)

Brian Craft Nena Wong Eric H. Findlay Law Offices of Nena Wong Findlay Craft, LLP 6080 Center Dr. #600 6760 Old Jackson Highway, Suite 101 Los Angeles, CA 90045 Tyler, TX 75703 nenawong@earthlink.net efindlay@findlaycraft.com (Attorney for Defendant, Phoebe Micro Inc.) bcraft@findlaycraft.com (Attorney for Defendants, Fry's Electronics, Inc., Hewlett-Packard Company, Micro Electronics, Inc. d/b/a Micro Center and Office Depot, Inc.) Victor deGyarfas Michael D. Harris Foley & Lardner M. Kala Sarvaiya 555 S. Flower Street, Suite 3500 Steven C. Sereboff Los Angeles, California 90071 SoCal IP Law Group LLP vdegyarfax@foley.com 310 N. Westlake Blvd., Suite 120 (Attorney for Defendant, Wal-Mart Stores. Westlake Village, CA 91362 MHarris@socalip.com Inc.) KSarvaiya@socalip.com SSereboff@socalip.com Michael E. Jones Allen F. Gardner Potter Minton, PC 110 north College, Suite 500 Tyler, Texas 75702 mikejones@potterminton.com allengardner@potterminton.com (Attorney for Defendants, Baltic Latvian Universal Electronics, LLC d/b/a Blue Microphones, LLC d/b/a Blue Microphone; and Blue Microphones, LLC and J&R Electronics, Inc. d/b/a J&R (Potter Minton only) Collin M. Maloney Herbert J. Hammond Ireland Carroll & Kellev Vishal Patel 6101 S. Broadway, Suite 500 Thompson & Knight LLP Tyler, Texas 75703 One Arts Plaza fedserv@icklaw.com 1722 Routh Street, Suite 1500 Dallas, Texas 75201 Thomas G. Carulli Jennifer Huang Patricia L. Davidson Kaplan, Massamillo & Andrews, LLC Mirick, O'connell, DeMallie & Lougee, LLP 70 East 55<sup>th</sup> Street, 25<sup>th</sup> Floor 100 Front Street

New York, NY 10022  tcarulli@kmalawfirm.com jhuang@kmalawfirm.com (Attorneys for Defendant, Lifeworks Technology Group, LLC)	Worcester, MA 01608-1477 (Attorneys for Defendant, Gear Head, LLC)
Philip A. Werner Werner Ayers, L.L.P. 2000 West Loop South, Suite 1550 Houston, Texas 77027 (Attorney for Defendant, jWIN Electronics, Corp.)	Steven R. Daniels W. Bryan Farney (Lead) Bryan D. Atkinson Dechert LLP 300 West 6 <sup>th</sup> Street, Suite 2010 Austin, Texas 78701 steven.daniels@dechert.com bryan.farney@dechert.com bryan.atkinson@dechert.com (Attorney for Defendant, Creative Labs, Inc., Best Buy Co., Inc., Best Buy Stores, L.P. and BestBuy.com, LLC)
Jen-Feng Lee (Pro Hac Vice) LT Pacific Law Group LLP 17800 Castleton Street #383 City of Industry, CA 91748 iflee@ltpacificlaw.com (Attorney for Defendant, Auditek Corporation)	Peter M. Lukevich Apex Juris, PLLC 12733 Lake City Way NE Seattle, WA 98125 peter@apexjuris.com (Attorney for Defendants, Macally Peripherals, Inc. d/b/a Macally U.S.A., MACE Group, Inc.)
Kent M. Adams John Lynd Lewis Brisbois Bisgaard & Smith, L.L.P. 3355 West Alabama, Suite 400 Houston, Texas 77098 kadams@lbbslaw.com jlynd@lbbslaw.com (Attorney for Defendant, Conn's, Inc. d/b/a Conn's)	

/s/ Christopher Schenck
Christopher Schenck